

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

BLUE SPIKE, LLC,

Plaintiff,

V.

AUDIBLE MAGIC CORPORATION,

Defendant.

AUDIBLE MAGIC CORPORATION,

Counterclaim Plaintiff

V.

BLUE SPIKE, LLC, BLUE SPIKE, INC.
and SCOTT A. MOSKOWITZ

Counterclaim Defendants.

Case No. 6:15-cv-584-MHS

Lead Case

Jury Trial Demanded

**ORDER GRANTING-IN-PART BLUE SPIKE, LLC'S EMERGENCY MOTION TO
STAY PROCEEDINGS OR IN THE ALTERNATIVE TO EXTEND THE TIME TO FILE
PRETRIAL MATERIALS**

This matter came before the undersigned on Plaintiff Blue Spike, LLC's Motion to Stay Proceedings or in the Alternative to Extend the Time to File Pretrial Materials. Based on the record of this case and the parties' briefing, IT IS HEREBY ORDERED that:

Blue Spike, LLC's Motion for Stay is GRANTED pending its appeal from judgment of invalidity; and

Blue Spike, LLC's Motion in the Alternative to Extend the Time to File Pretrial Materials is DENIED as moot.

It is FURTHER ORDERED that Blue Spike has 30 days to notify this Court of the outcome of its appeal to the Federal Circuit Court of Appeals.